

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA : DECLARATION OF DEPUTY
: UNITED STATES MARSHAL
CRYSTAL VAZQUEZ
:
RUDY KURNIAWAN, : S1 12 Cr. 376 (RMB)
a/k/a "Dr. Conti," :
a/k/a "Mr. 47," :
Defendant. :
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STATE OF NEW YORK)
COUNTY OF NEW YORK : ss.:
SOUTHERN DISTRICT OF NEW YORK)

CRYSTAL VAZQUEZ, under penalty of perjury, declares:

1. I am a Deputy United States Marshal with the United States Marshals Service ("USMS"). I have been a Deputy United States Marshal for fifteen (15) years and I have participated in numerous investigations involving financial crimes and the forfeiture of assets. I have received relevant training and have personally participated in, among other things, extensive investigations involving financial crimes, to include wire fraud and money laundering. Since May of 2019, I have directed various queries to identify assets in the name of Rudy Kurniawan, pursuant to the matter *United States v. Rudy Kurniawan*, S1 12 Cr. 376 (RMB).

2. I respectfully make this declaration in connection with the Government's application for a Substitute Asset Order of Forfeiture as to the following:

Any and all wine consigned by Rudy Kurniawan or stored by Rudy Kurniawan, including any and all wine owned by Rudy Kurniawan seized by the Government on or about September 11, 2019 from the Wine Cellarage located in the Bronx, New York, valued up to and including \$18,137,903.22 (the "Substitute Assets").

From my review of the case file, I am familiar with the facts and circumstances of this forfeiture case. Because this declaration is being submitted for a limited purpose, I have not included in it everything I know about this forfeiture case. Where the contents of documents and the actions, conversations, and statements of others are related herein, they are related in substance and in part.

The Indictment

3. On April 8, 2013, RUDY KURNIAWAN, the defendant, was charged in a two-count Superseding Indictment, S1 12 Cr. 376 (RMB) (the "Indictment") with mail fraud, in violation of Title 18, United States Code, Sections 1341 and 2 (Count One); and wire fraud, in violation of Title 18, United States Code, Sections 1343 and 2 (Count Two).

4. The Indictment included forfeiture allegations as to Counts One and Two seeking, pursuant to Title 18, United States Code, Section 982(a)(1)(C), and Title 28, United States Code, Section 2461, the forfeiture of all property, real and personal which constitutes or is derived from proceeds traceable to the commission of the offenses charged in Counts One and Two of the Indictment.

5. The Indictment also included a substitute asset provision notice that if as a result of the defendant's actions or omissions forfeitable property is unable to be located or obtained, the United States will seek, pursuant to Title 21, United States Code, Section 853(p), the forfeiture of any other property of the defendant.

6. On or about September 16, 2013, the defendant was found guilty, after a jury trial, of Counts One and Two of the Indictment.

Consent Preliminary Order of Forfeiture as to Specific Properties/Money Judgment

7. On or about August 5, 2014, the Court entered a Consent Preliminary Order of Forfeiture as to Specific Properties/Money Judgment (the “Preliminary Order of Forfeiture”) against the defendant in the amount of \$20,000,000.00 in United States currency (the “Money Judgment”), representing property constituting, or derived from, proceeds the defendant obtained as a result of the offenses alleged in Counts One and Two of the Indictment and to the forfeiture of all of his right, title and interest in various specific properties;

8. To date, \$18,137,903.22 remains outstanding on the Money Judgment.

The Substitute Assets

9. Since the entry of the Preliminary Order of Forfeiture, despite exercise of due diligence in investigating the assets of the defendant, the Government has been unable to locate the proceeds of the defendant’s offenses. To date, the Government has located the Substitute Assets as an asset of the defendant.

10. I have conducted an investigation into any other assets that the defendant might have to satisfy the Money Judgment against him. During this investigation I have discovered that Christies was in possession of hundreds of bottles of wine previously held in the Bronx, New York on behalf Rudy Kurniawan. In addition, I discovered that Christies is currently in possession of hundreds of bottles of wine owned by Rudy Kurniawan that are being stored in other locations including London, England and Geneva, Switzerland. Finally, on or about September 11, 2019, the Government seized wine being stored by Rudy Kurniawan at the Wine Cellarage located in the Bronx, New York. The approximate appraised value of these wines is in excess of \$2.1 million, far below the outstanding Money Judgment.

I declare under penalties of perjury that the foregoing is true and correct, pursuant to Title 28, United States Code, Section 1746.

Dated: New York, New York
May 22, 2020


CRYSTAL VAZQUEZ
Senior Inspector
United States Marshals Service